



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202/418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See *MCI v. FCC*, 515 F.2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE
August 8, 2002

NEWS MEDIA CONTACTS:
Michelle Russo 202-418-2358
Margo Davenport 202-418-2949

FCC EXPLORES DIGITAL BROADCAST COPY PROTECTION *Goal is to Facilitate Transition to Digital Television*

Washington, D.C. - Today, the Federal Communications Commission (FCC) initiated a rulemaking designed to facilitate the transition to digital television. Today's proceeding explores whether the FCC can and should mandate the use of a copy protection mechanism for digital broadcast television, and what impact such regulation would have on consumers.

The FCC said that the current lack of digital broadcast copy protection may be a key impediment to the DTV transition's progress. Without a digital copy protection scheme that prevents the unauthorized copying and redistribution of digital media, programming content providers assert that they will not permit the digital broadcast of high quality programming. Without such programming, consumers may be reluctant to buy DTV receivers and equipment, thereby delaying the DTV transition.

Private industry negotiations have reached consensus on a technical "broadcast flag" standard (ATSC Standard A65/A) that would limit copying of some programming aired by broadcast-TV stations. However, there is no universal agreement on the use and implementation of the flag. There is also no industry agreement on how to enforce digital broadcast copy protection.

Today's Notice of Proposed Rulemaking (NPRM) seeks comment on the jurisdictional basis for FCC action in this area and whether the FCC should intercede in this matter. The NPRM also asks that if a digital broadcast flag or other regulatory regime is needed, should the FCC adopt rules or create some other mechanism to resolve outstanding compliance, robustness and enforcement issues.

If FCC-mandated digital broadcast copy protection rules are needed, the NPRM asks the following questions:

- Is the broadcast flag the appropriate technological model to be used?
- Is a government mandate requiring broadcasters and content providers to embed the broadcast flag (or other content control mark) within digital broadcast programming necessary?

- more -

Regarding reception of the digital broadcast signal, the NPRM seeks comment in the following areas:

- Should the FCC mandate that consumer electronics devices recognize and give effect to the broadcast flag (or other content control mark)?
- What is the appropriate point in a consumer electronics device at which digital broadcast copy protection should begin?
- Would a digital broadcast copy protection system be effective in protecting digital broadcast content from improper redistribution?
- Would digital broadcast copy protection work for digital broadcast stations carried on cable or direct broadcast satellite systems? How?
- Should the FCC mandate the use of specific copy protection technologies (such as DTCP/SC or HDCP) in consumer electronics devices that are designed to respond to the broadcast flag? And, if so, how would a particular technology receive approval for use and who would be the appropriate entity to make that decision?

As to the impact of the broadcast flag or other digital broadcast copy protection mechanism on consumers, the NPRM asks the following questions:

- Will requirements to protect digital outputs interfere with the ability to send DTV content across secure digital networks?
- What is the impact of digital broadcast copy protection mechanisms on existing and future electronic equipment?
- Will digital broadcast copy protection have an effect on the development of new consumer technologies?

-FCC-

Comments due: October 30, 2002
Reply Comments due: December 13, 2002

MB Docket 02-230

Action by the Commission, August 8, 2002, by Notice of Proposed Rulemaking (FCC 02-231). Chairman Powell, Commissioners Abernathy and Martin, with Commissioner Copps concurring and issuing a statement.

Media Bureau contact: Susan Mort at 202-418-7200.

News about the Federal Communications Commission can also be found on the Commission's web site www.fcc.gov.